

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

KENNETH ROBINSON

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Civil No. – JFM-14-2968
Criminal No. JFM-11-0521

MEMORANDUM

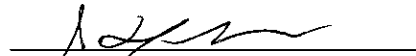
Kenneth Robinson has filed a motion under 28 U.S.C. §2255. The motion will be denied. It is entirely without merit.

First, Robinson alleges that his house located at 3118 Cedarhurst Road in Baltimore was searched pursuant to a warrant that was issued for the residence located at 3318 Cedarhurst Road. Robinson is incorrect. Although the affidavit in support of the warrant mentioned in several places that the residence to be searched was 3318 Cedarhurst Road, not only were these references corrected but the warrant itself was issued for 3118 Cedarhurst Road. Moreover, Robinson did not challenge the authenticity of the warrant on appeal.

Second, Robinson alleges that his counsel was ineffective in advising him as to whether he should testify. The advice given by counsel was not ineffective. At the trial I ruled that if Robinson testified, a prior drug distribution offense could be used to impeach him and that I was tentatively of view that the “murder conviction comes in.” Robinson was charged with a drug offense, and the fact that he had been previously convicted for a drug distribution offense certainly would have been detrimental to his case.

A separate order denying Robinson’s motion is being entered herewith.

Date:



J. Frederick Motz
United States District Judge

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DISTRICT OF MARYLAND
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